



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Eleventh day of October Two Thousand Seventeen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP (MD) No.13738 of 2017

1 NAGU @ NAGARAJ
2 AMIRTHAM

... PETITIONERS/ACCUSED Nos.2&3

Vs

STATE REPRESENTED BY
THE INSPECTOR OF POLICE,
S.V.MANGALAM POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.135 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioners : Mr.P.THILAK KUMAR, Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as A2 and A3, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(i) IPC, in Crime No.135 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on 26.09.2017 due to previous enmity between the petitioners and the de-facto complainant, the petitioners attacked the de-facto complainant and caused injuries. Thereby, the de-facto complainant filed a complaint before the respondent police.

3.The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that the de-facto complainant's son damaged the drinking water pipe line, due to which, wordy quarrel arose between the petitioner's and the de-facto complainant.

4.The learned Government Advocate (Crl.side) appearing for the State submitted that the injured was discharged from the hospital and A1 was arrested and subsequently, released on bail.



5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.side) that the injured was discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Thiruppathur, Sivagangai District, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) each with two sureties each for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioners shall report before the investigating Officer daily at 10.00 a.m., for a period of two weeks and thereafter as and when required for interrogation;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial.

(iii) the petitioners shall make himself available for interrogation including custodial interrogation as and when required by the investigation officer;

(iv) the petitioners shall not commit any offence while on bail;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law and the bail granted stands cancelled automatically.

sd/-
11/10/2017

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE
THIRUPPATHUR

2 -DO- THRO' THE CHIEF JUDICIAL MAGISTRATE,
SIVAGANGAI DISTRICT



3 THE INSPECTOR OF POLICE,
S.V.MANGALAM POLICE STATION, SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

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+1. CC to M/S.R.M.ANBUNITHI Advocate SR.No.32710

ORDER

IN

CRL OP(MD) No.13738 of 2017

Date :11/10/2017

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SH/RR-BS/SAR-2:20.10.2017: 3P/6C